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The Director of Central Intelligence

Washington, D.C. 20505

Intelligence Community Staff

DCI/ICS 83-3631

JUL 27 1983

MEMORANDUM FOR:

Director, GDIP Staff

FROM:

Director, Program and Budget Staff

SUBJECT:

Military Construction in the NFIP (U)

1. The Director, Intelligence Community Staff has asked me to comment on the draft memorandum for the Secretary of Defense and Director of Central Intelligence, and the draft Memorandum of Agreement (MOA), contained in your memorandum of 19 July.

2. In general, I do not believe that the draft MOA clarifies the current (4 July 1981) MOA. If anything, it would add to whatever confusion now exists by adding the necessity of determining the "primary purpose" of MILCON projects and the notion of "reasons other than enhancing National Foreign Intelligence capabilities." Both of these additions to the present MOA could lead to endless argument. Who would determine the "primary purpose" of a project, and what criteria would be employed, is not addressed, nor is the idea of what a "reason other than enhancing NFIP capabilities" might be. The latter point's inclusion with the current "personnel support" justification for non-NFIP funding is especially curious without further explanation. If a project is not to be funded in the NFIP (because its primary purpose is not to expand NFIP capabilities) and it is not for personnel support, it is unclear what it would be and why DoD would want to buy it. Concerning the proposed memorandum for the SecDef and DCI, I take issue with the statement that the proposed MOA "clarifies" the existing guidelines in any way. In addition, the fourth "key point" is not addressed in the proposed MOA and requires further explanation.

3. I believe that the existing MOA is flexible enough to work to everyone's satisfaction. In particular, note the words "normally" in paragraphs 1.b. and 1.c., which are there to qualify the examples of "operational" and "personnel support" MILCON, and to introduce flexibility. The language of paragraph 2 providing for joint IC Staff and OSD resolution of problems of interpretation had a similar intent. I invite the Program Manager to make more use of this mechanism, as early in the programming process as possible. Indeed, outyear projects are the ones we should be talking about, so we can avoid the pressures of immediate issues

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4. While I do not believe that any revision of the 4 July 1981 MOA is warranted, I repeat my willingness to work with you to resolve issues in any gray area in a timely manner. (U)



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DCI/ICS/PBS [redacted] 25 July 1983)

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